

09/601029

534 Rec'd PCT/PTO 26 JUL 2000

PETER HIMMELSBACH, ET AL
BEIERSDORF 631-KGB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : PETER HIMMELSBACH, MARIKE SINNEN
SERIAL NO. : TO BE ASSIGNED
FILED : HERewith
FOR : SUPPORTING MATERIAL FOR MEDICINAL PURPOSES
ART UNIT : TO BE ASSIGNED
EXAMINER : TO BE ASSIGNED

July 26, 2000

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

I. Timeliness, Fees and Certifications in lieu of Fees

- ☒ A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national

stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Assistant Commissioner determine that a fee is, in fact, due, the Assistant Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

- ☐ B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance. Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):
 - ☐ 1. The Assistant Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 14-1263.
 - ☐ 2. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
 - ☐ 3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

- ☐ C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set forth in 37 CFR § 1.17(i), and which the Assistant Commissioner is hereby authorized to charge to Deposit Account No. 14-1263. Consideration of this information disclosure statement also requires a statement under 37 CFR § 1.97(e):

- ☐ 1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ 2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

II. Copies of Listed References

- ☒ A. Copies of all references listed on the attached Form PTO-1449 are being supplied.
- ☐ B. Copies of all references listed on the attached Form PTO-1449 have already been

534 Rec'd PCT/PTC 26 JUL 2000

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BEIERSDORF 631-KGB

supplied during the prosecution of prior application Serial No. ____, filed ____,
from which the present application claims priority pursuant to 35 USC § 120.
Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the
attached Form PTO-1449 are not now being supplied.

- ☐ C. This application is a PCT national stage application, all references listed on the
attached Form PTO-1449 were cited in the international search report, and
PCT/DO/EO/903 indicates that both the international search report and the copies
of the references listed on the attached Form PTO-1449 are in this national stage
file. Therefore, copies of the references listed on the attached Form PTO-1449
are not now being supplied.

III. Concise Statement of Relevance

- ☐ A. A concise statement of the relevance of all references listed on the attached Form
PTO-1449 that are *not in the English language*, is being provided on a separate
sheet.
- ☒ B. All references listed on the attached Form PTO-1449 were cited in the search
report issued by the German Patent Office, and a copy of that search report, which
indicates the degree of relevance found by that Patent Office, is attached.
- ☐ C. This application is a PCT national stage application, all references listed on the
attached Form PTO-1449 were cited in the international search report, and an
English-language version of that search report, which indicates the degree of
relevance found by the International Search Authority, is attached.

534 Rec'd PCT/PT 26 JUL 2000

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BEIERSDORF 631-KGB**IV. Additional Information**

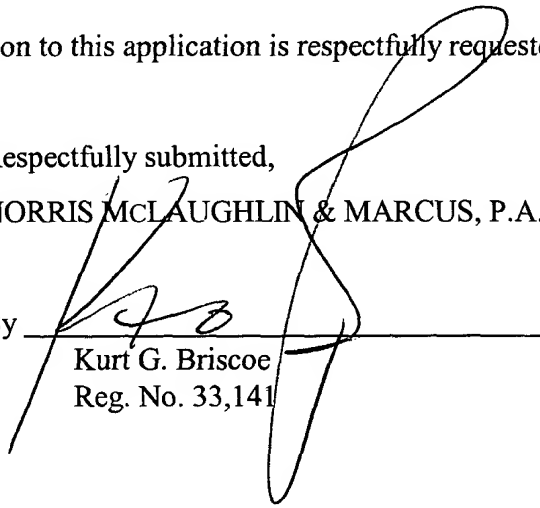
- ☐ A. In addition to the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]

- ☐ B. In addition of the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,
NORRIS McLAUGHLIN & MARCUS, P.A.

By 
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